

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:

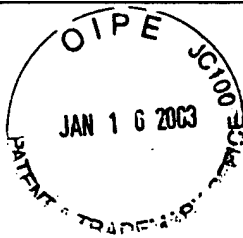
Gadberry, et al.

Serial No.: 09/675,851

Filed: September 28, 2000

For: SURGICAL INSTRUMENT WITH  
IMPROVED HANDLE ASSEMBLY

Assistant Commissioner for Patents  
Washington, D.C. 20231



) Docket No. AUS-1719-AV

) Examiner: Hale, Gloria

) Art Unit: 3765

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TECHNOLOGY CENTER R3700

RESPONSE TO REQUIREMENT FOR RESTRICTION

Dear Sir:

This response is filed pursuant to an Office Action mailed November 20, 2002. Approval of the enclosed Request for Extension of Time will extend the period for response to January 20, 2003.

Requirement for Restriction

In the outstanding Office Action, the Examiner has required restriction between the following two inventions:

- I. Claims 1-15 and 35-42, drawn to a surgical instrument with a handle assembly and an effector which would broadly be considered as a pair of scissors or forceps, classified in Class 606/174; and
- II. Claims 16-34, drawn to a surgical clip applier, classified in Class 606, subclass 142.

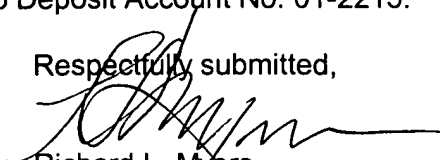
Election

Applicant provisionally elects for prosecution the claims of group one, namely, claims 1-15 and 35-42, drawn to a surgical instrument with a handle assembly. This election is made without traversal.

The requisite fee of \$55.00 is included in our enclosed check.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any over-payment, to Deposit Account No. 01-2215.

Respectfully submitted,

  
Richard L. Myers  
Registration No. 26,490

Date: Jan. 15, 2003  
22872 Avenida Empresa  
Rancho Santa Margarita, California 92688  
Telephone (949) 713-8000  
Facsimile (949) 713-8206